

Amendments to the Drawings:

The drawing sheet attached in connection with the above-identified application containing Figure 1 is being presented as a new formal drawing sheet to be substituted for the previously submitted drawing sheet. The drawing Figure 1 has been amended. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

The specific change which has been made to Figure 1 was to replace reference numeral "56c" with reference numeral "54c." The disclosure of Applicant's application provides support for this amendment. For example, at least paragraph 0077 of Applicant's specification provides support for the amendment to Figure 1.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

New claims 49 and 50 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Applicant respectfully submits that the disclosure of Applicant's application provides support for the amendments to the claims and the drawings. For example, at least paragraph 0077 and Figure 1, along with its associated text, provide support for the amendments to the claims and the drawings.

After amending the claims as set forth above, claims 1-50 are now pending in this application. Claims 5-48 have been withdrawn from consideration.

Priority

Applicant respectfully requests the Office to acknowledge Applicant's claim for foreign priority in the next Office correspondence, such as by including a statement or checking the relevant boxes in the correspondence summary under "Priority under 35 U.S.C. § 119."

Objections to the Drawings

The drawings are objected to for containing informalities. Applicant respectfully submits that the amendments to the drawings and the claims render these objections moot. For example, Applicant respectfully submits that amended Figure 1 shows an example of a labyrinth seal path 54a with a second end 54c, as discussed in paragraph 0077 of Applicant's specification. Reconsideration and withdrawal of these objections is respectfully requested.

Objections to the Specification

The specification is objected to for containing informalities. Applicant respectfully submits that the amendments to the drawings render these objections moot. Reconsideration and withdrawal of these objections is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 1-4 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to meet the enablement requirement. Claims 2-4 are also rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. These rejections are respectfully traversed.

Applicant respectfully submits that the amendments to the drawings and the claims render these rejections moot. For example, amended Figure 1 shows an example of a labyrinth seal path 54a with a second end 54c, as discussed in paragraph 0077 of Applicant's specification.

Reconsideration and withdrawal of these rejections is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by U.S. Patent No. 6,585,092 to Smith *et al.* (hereafter "Smith"). This rejection is respectfully traversed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Smith discloses a fan drive assembly 10 that includes an input shaft 12, a hub 16, a rotor 18, and a fan housing 31 that forms a labyrinth sealing path with a rim portion 20 of the hub 16 to prevent magnetorheological fluid from entering a bearing 26. See Smith at col. 3, lines 4-30. The assembly 10 further includes a fan cover body 40, a fan cover insert 42 with

an inner wheel portion 48, a coil body 44, a coil cover 46, and a fluid reservoir. See Smith at col. 3, lines 33-39, and col. 5, line 64, to col. 6, line 3.

The Office argues on pages 7 and 8 of the Office Action that Smith provides a seal path between fan cover body 40 and inner wheel portion 48. However, if such a seal path is provided between the fan cover body 40 and the inner wheel portion 48 of Smith, it would not include ends that communicate with the fluid reservoir 86 of Smith. Therefore, the seal path argued by the Office, if such a seal path would exist, does not have a first end and a second end, such that any fluid entering the seal path is returned to the fluid reservoir 86, as recited in claim 1.

Nor does each of a first end and a second end of the seal path argued by the Office, if such a seal path would exist, communicate with the fluid reservoir 86 of Smith such that any fluid entering the seal path is returned to the fluid reservoir 86, as recited in claim 2. Claims 3 and 4 depend from claim 2.

For at least the reasons discussed above, Smith does not anticipate claims 1-4 because Smith does not disclose all of the features of claims 1 and 2. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-4 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by U.S. Patent No. 5,960,918 to Moser *et al.* (hereafter “Moser”). This rejection is respectfully traversed.

Moser discloses a viscous clutch assembly that includes an input shaft 12, a rotor assembly 14, a fan housing 16, a stator 18, a main housing 20, and a coil assembly 22. See Moser at col. 2, lines 29-33. The coil assembly 22 includes a coil body 80, coil windings 82, and a pair of coil rings 84. See Moser at col. 3, lines 19-23.

The Office argues on pages 9-10 of the Office Action that Moser provides a seal path between the main housing 20 and the coil body 80, with the main housing 20 serving as a first housing portion and the coil body 80 serving as a housing insert.

However, if such a seal path is provided and exists between the main housing 20 and the coil body 80 of Moser, which Applicant does not concede, such a seal path does not include ends that communicate with a fluid reservoir, as recited in claims 1 and 2.

Further, should the Office consider the various components forming the coil body 80 to form a seal path leading back to a fluid reservoir of Moser, such as a hole for the bolt 88 or an interface between parts 84 and 86, such a path, if one would exist, is not formed by a housing insert that is provided as a single piece, as recited in claims 1 and 2.

For at least the reasons discussed above, Moser does not anticipate claims 1-4 because Moser does not disclose all of the features of claims 1 and 2. Reconsideration and withdrawal of this rejection is respectfully requested.

New Claims

New claims 49 and 50 have been added. Claims 49 and 50 depend from claims 1 and 2 and are allowable over the prior art for at least the reasons discussed above and for their respective additional recitations.

Conclusion

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If

any extensions of time are needed for timely acceptance of papers submitted herewith,
Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment
of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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